

REMARKS

Claims 1-21 are pending in the application and claims 11-21 have been allowed. Claim 1 has been amended to correct an inadvertent typographical error and to preserve antecedent basis for the term "first common plane." No new matter has been introduced by the amendment.

Rejection Under 35 U.S.C. § 102(e)

Claims 1-2 and 7-10 have been rejected over Hu et al. This rejection is overcome in view of the submission of a certified English translation of the applicant's German priority application no. 10217565.9.

The applicant hereby perfects a claim to foreign priority under 35 U.S.C. §119 by submission of the enclosed certified English translation in accordance with 37 C.F.R. §1.55. The applicant asserts that the enclosed certified English translation is a true and complete copy of the priority German application. The applicant's German priority application bears a filing date of April 19, 2002, which is before the November 7, 2002 1. U.S. filing date of Hu et al. In accordance with 37 C.F.R. §1.55(a)(3)(ii) and MPEP §706.02(b)(E), the applicant hereby requests that Hu et al. be withdrawn. The applicant asserts that the claims 1-2 and 7-10 are now in condition for allowance.

Claims 3-6 are allowable in view of their indirect dependence from claim 1.

All of the claims are now in condition for allowance and such allowance is now earnestly requested.

Respectfully submitted,

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